



IFW

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(Case No. 00-078-D)

In the Application of: )  
Luiz Belardinelli et al. )  
Serial No.: 10/614,702 ) Art Unit: 1645  
Filed: July 3, 2003 ) Examiner: Not Assigned  
Title: Method of Identifying Partial Agonists )  
Of the A<sub>2A</sub> Receptor )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **TRANSMITTAL LETTER**

In regard to the above identified application:

1. We are transmitting herewith the attached:
  - a. Request for Corrected Filing Receipt
  - b. Copy of Filing Receipt with Corrections Thereon
  - c. Copy of previously transmitted Transmittal Letter
  - d. Copy of Express Mail Receipt
  - e. Copy of Express Mail Log
  - f. Copy of Shipment Details from the U.S. Post Office
  - g. Postcard
2. With respect to additional fees:
  - a. No fee is required.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23rd day of September, 2004.

By:

A Blair Hughes  
Reg. No. 32,901

McDonnell Boehnen Hulbert & Berghoff LLP  
300 S. Wacker Dr.  
Chicago, Illinois 60606  
312/913-0001



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(Case No. 00-078-D)**

**PATENT**

**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above-referenced application for which issuance of a corrected filing receipt is respectfully requested.
2. Also attached are copies of a Transmittal Letter, Express Mail Receipt, Express Mail Log and Shipment Details from the U.S. Post Office showing the Express Mail mailing date of this application to be July 3, 2003.
3. There is an error with respect to the following data, which is incorrectly entered.

### Error In:

Filing or 371 (c) Date

07/02/2003

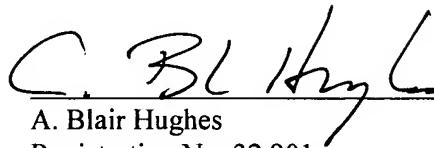
**Correct Data:**

Filing or 371 (c) Date

**07/03/2003**

4. The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,

  
A. Blair Hughes  
Registration No. 32,901

Date: September 23, 2004



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/614,702	07/02/2003	1645	750	00-078-D	11	14	1

07/03/2003

A. Blair Hughes  
McDonnell Boehnen Hulbert & Berghoff  
32nd Floor  
300 S. Wacker Drive  
Chicago, IL 60606

CONFIRMATION NO. 7957

UPDATED FILING RECEIPT



\*OC000000012289525\*

Date Mailed: 04/06/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Luiz Belardinelli, Menlo Park, CA;  
Brent K. Blackburn, Los Altos, CA;  
Zhenhai Gao, San Jose, CA;

**Assignment For Published Patent Application**

CV Therapeutics, Inc.;

**Domestic Priority data as claimed by applicant**

This application is a CON of 09/792,617 02/23/2001 ABN  
which claims benefit of 60/219,876 07/21/2000  
and claims benefit of 60/184,296 02/23/2000

**Foreign Applications****If Required, Foreign Filing License Granted:** 10/02/2003**Projected Publication Date:** 07/15/2004**Non-Publication Request:** No**Early Publication Request:** No

**Title**

Method of identifying partial agonists of the A2A receptor

**Preliminary Class**

435

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## Track & Confirm

### Shipment Details

You entered EV33 3546 905U S

Your item was delivered at 11:11 am on July 05, 2003 in ARLINGTON, VA 22202 to PATENT OFFICE. The item was signed for by R ATIATI. Detailed shipping information has been restored from files offline.

Here is what happened earlier:

- ARRIVAL AT UNIT, July 05, 2003, 6:45 am, DULLES, VA 20102
- ENROUTE, July 04, 2003, 7:37 pm, DULLES, VA 20102
- ENROUTE, July 03, 2003, 5:43 pm, CHICAGO, IL 60607
- ACCEPTANCE, July 03, 2003, 4:11 pm, CHICAGO, IL 60606

### Notification Options

► Request Proof of Delivery [What is this?](#)

[Go >](#)

### Track & Confirm

Enter label number:

[Track & Confirm FAQs](#) (



POSTAL INSPECTORS  
Preserving the Trust

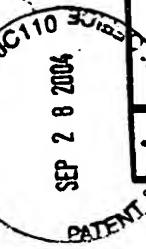
[site map](#) [contact us](#) [government services](#)  
Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)



 <b>EV 333546905 US</b>			<b>Customer Copy</b> <small>Label 11-F June 2004</small>		
<b>EXPRESS MAIL</b> <b>UNITED STATES POSTAL SERVICE®</b>					
<b>Post Office To Addressee</b>					
<b>ORIGIN (POSTAL USE ONLY)</b>			<b>DELIVERY (POSTAL USE ONLY)</b>		
PO ZIP Code <i>60606</i>	Day of Delivery <i>12 Noon</i>	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Date In <i>2004 09 28</i>	Mo. Day Year <i>Mo. Day Year</i>	Postage <i>\$ 1.00</i>	Delivery Attempt Mo. Day	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Time In <i>11:00 AM</i>	Military <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Return Receipt Fee <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Delivery Date Mo. Day	Time <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Employee Signature
Weight <i>1/2 lbs.</i>	Int'l Alpha Country Code <i>US</i>	COD Fee <i>\$ 0.00</i>	Insurance Fee <i>\$ 0.00</i>		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <i>G</i>	Total Postage & Fees <i>\$ 1.00</i>			
<b>CUSTOMER USE ONLY</b>					
<small>METHOD OF PAYMENT: A CHECK OR PAYMENT OF EQUIVALENT AMOUNT IS REQUIRED WITH THIS MAILING. THIS MAILING IS VOID IF NO PAYMENT IS MADE. THIS MAILING IS VOID IF THE SIGNATURE IS NOT PRESENT. THIS MAILING IS VOID IF THE SIGNATURE IS PRESENT BUT THE ARTICLE IS NOT TAKEN INTO POSSESSION BY THE ADDRESSEE. THIS MAILING IS VOID IF THE SIGNATURE IS PRESENT AND THE ARTICLE IS LEFT IN SECURE CUSTODY AND AUTHORITY OF AN EMPLOYEE. (If delivery employee judges that article can be left in secure custody and authority of addressee, he may leave it in addressee's possession, constituting valid proof of delivery.)</small>					
<small>NO DELIVERY: (Weekend) (Holiday) (Customer Signature) (Signature)</small>					
<b>FROM: (PLEASE PRINT)</b> <i>312 913 0001</i> <small>PHONE</small>			<b>TO: (PLEASE PRINT)</b> <i>PATENT APPLICATION</i> <small>PHONE</small>		
<small>Federal Agency Acct. No. or Postal Service Acct. No.</small>			<small>MAIL STOP 1450 COMMISSIONER FOR PATENTS PO BOX 1450 ALEXANDRIA, VA 22313-1450</small>		
<small>ABH 00-078-3 (40836)</small>					
<small>PRESS HARD. You are making 3 copies.</small>					
<small>FOR PICKUP OR TRACKING CALL 1-800-222-1811 <a href="http://www.usps.com">www.usps.com</a></small>					
					

**BEST AVAILABLE COPY**

**EXPRESS MAIL LOG**



**DATE:** 7-3-03

**BEST AVAILABLE COPY**

ATTORNEY NAME CASE NUMBER	ENVELOPE CONTENTS	NAME OF THE PERSON DEPOSITING IN THE MAILROOM	LOCATION OF POST OFFICE	DATE OF DELIVERY TO POST OFFICE	TIME OF DELIVERY TO POST OFFICE	NAME OF THE PERSON MAKING DELIVERY
					POST OFFICE	
1 <u>TEW</u>	Transmittal Letter, Response to Final Office Action Mailed May 5, 2003, and Return Post Card	<u>MTR</u>	433 W. Van Buren	7-3	b1	DC
2	Issue Fee Transmittal (in duplicate); Comments on Statements of Reasons For Allowance; Check - \$1,303.00; Return Receipt Postcard	<u>JT</u>	433 W. Van Buren	7-3	b1	DC
3	Q1317 52/1400 Express Mail No. EV333561868US		433 W. Van Buren	7-3	b1	DC
4	X <u>PLT</u> EL 73803114845 Transl Lit, 38 PGP 48 Spec, 11 Sheets of Drawing, Dcc, Check, Postcard	<u>Office</u>	433 W. Van Buren	7-3	b1	DC
5	X <u>PLT</u> EL 73803114845 Transl Lit, 38 PGP 48 Spec, 11 Sheets of Drawing, Dcc, Check, Postcard	<u>Office</u>	433 W. Van Buren	7-3	b1	DC

Transmittal Letter (1 sheet); Response to Invitation to Correct (1 sheet); Copy of Annex A (1 sheet); and Executed General Power of Attorney (2 sheets).

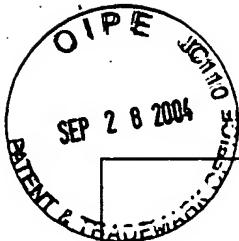
**TIME:**

**DATE:**

**Express Mail number:** EL73803114845

**TIME:**

**DATE:**



## UTILITY PATENT APPLICATION TRANSMITTAL

*Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))*

### ADDRESS TO:

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

Attorney Docket No. 00-078-D

First Named Inventor Belardinelli

Express Mail No. EV333546905US

### APPLICATION ELEMENTS

1.  Transmittal Form with Fee
2.  Specification (including claims and abstract) [Total Pages 38]
3.  Drawings [Total Sheets 11]
4.  Oath or Declaration [Total Pages 2]
  - a.  Newly executed
  - b.  Copy from prior application  
**[Note Boxes 5 and 18 below]**
    - i.  Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5.  Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  Computer Code Listing (See 1.96).
  - a.  Microfiche Appendix
  - b.  CD-Rom (in duplicate, with separate transmittal)
7.  Nucleotide and/or Amino Acid Sequence Submission
  - a.  Computer Readable Copy
  - b.  Paper Copy
  - c.  Statement verifying above copies
8.  Small Entity Status
  - is claimed
  - Statement filed in prior application; status still proper and desired
  - is no longer claimed.

### ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers
10.  Power of Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)
  - PTO-1449 Form
  - Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (Should be specifically itemized)
15.  Certified Copy of Priority Document(s)
16.  A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
17.  Other: Patent Data Sheet

18.  This is a CONTINUING APPLICATION. Please note the following:

a.  This is a  Continuation  Divisional  Continuation-in-part

of prior U.S. Patent Application Serial No. 09/792,617 filed February 23, 2001 which claims priority to U.S. Patent Application Serial No. 60/219,876 filed July 21, 2000 and U.S. patent Application Serial No. 60/184,296 filed February 23, 2000.

b.  Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one claim must remain.)

c.  Amend the specification by inserting before the first line the sentence:

This is a  continuation  divisional  continuation-in-part of application Serial No. 09/792,617 filed February 23, 2001 which claims priority to U.S. Patent Application Serial No. 60/219,876 filed July 21, 2000 and U.S. patent Application Serial No. 60/184,296 filed February 23, 2000.

d.  The prior application is assigned of record to CV Therapeutics, Inc.

## UTILITY PATENT APPLICATION TRANSMITTAL Attorney Docket No. 00-078-D

## APPLICATION FEES

BASIC FEE				\$ 750.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	14 -20 =		x \$18.00	\$
Independent Claims	1 - 3 =		x \$84.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$
			Total of above calculations =	\$ 750.00
			Reduction by 50% for filing by small entity =	\$( )
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$
			TOTAL =	\$ 750.00

19.  Please charge my Deposit Account No. 13-2490 in the amount of \$20.  A check in the amount of \$750.00 is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

## 23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

## 24. USPTO CUSTOMER NUMBER



20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert &amp; Berghoff

## 25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	A. Blair Hughes
Reg. No.	32,901
Signature	
Date	July 3, 2003